

Neighborhood Notifications
Open House Information
Citizen Comments
Affidavit of Posting
Site Signs
Legal Protest

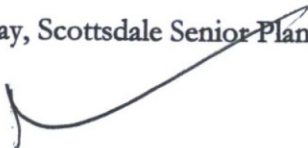
Michael P. Leary, LTD

10278 E. Hillery Drive
Scottsdale, Arizona 85255

cell 480.991.1111
michaelpleary@cox.net

DATE : August 14, 2019

TO: Doris McClay, Scottsdale Senior Planner

FROM: Mike Leary 

RE: **8-ZN-2019/5-AB-29019 Updated Citizen Review Report – Senior Living at McDowell Mountain Ranch**

Per the Citizen Review Plan, the attached informational letters were sent to 115 interested parties and property owners within 750' of the subject property. Additionally, parties involved in the McDowell Mountain Community Storage project located just east of the subject property were given advance notice of the proposal. The attached "Project Under Consideration" sign was erected on April 28, 2019 announcing the Open House held on May 7, 2019.

Prior to the Open House a Horseman's Park resident (involved in the storage zoning case and one of the parties who received our advance notice of this application) contacted us concerned about a 3-story building height being out of character with the area. The senior living use was not an issue. Per the attached string of emails our response has been the following: the building height would not appear as tall based upon the site being several feet lower than the homes on the north side of MMMRR; the building being lowered as much as possible into the site; the building being over 200' from the nearest Horseman's Park home; the approved storage building behind the Superpumper station being 3-stories and 34' in height; the partial screening of the building by preserving the Verde Canal; the likelihood of the vacant site to the east being developed as multi-family project up to 3-stories and 36' in height; and our proposed 3-story building being just 39' tall and not the 48' allowed by ordinance.

The day before the Open House a slew of NEXTDOOR postings was spurred by the City's incorrect online posting that our request was a Major General Plan amendment. There is NO General Plan Amendment - Major or Minor - as the request conforms to the General Plan. We posted the City's correction but postings continued nonetheless and included concerns about the lack of need for senior housing, poor building quality, traffic impact on the TPP/MMRR intersection, seniors not being able to cross the intersection, noise emanating from WestWorld, building within a flood plain, strangers from all walks of life staffing the facility, and the City granting a zoning variance without getting exactions from the developer. There were also two individuals posting support of the project and countering some of the expressed concerns. We made seven replies addressing the substantive

comments and reposted the corrected City notification letter that previously went out to property owners within 750' of the project. Due to the discussion sliding into unrelated matters and incivility, we asked that any other comments/questions/concern be handled directly with us via phone, email or in person. The string of postings is also attached, and we have not had any subsequent contact or postings.

Approximately 20 people attended the May 7th Open House which included members of the MMR Board of Directors. Typical questions included details of the project's use, building height, building design, access, lighting, and traffic. We were encouraged by the tone and demeanor of the attendees and believe that the concern expressed about the project's perceived building height will be mitigated.

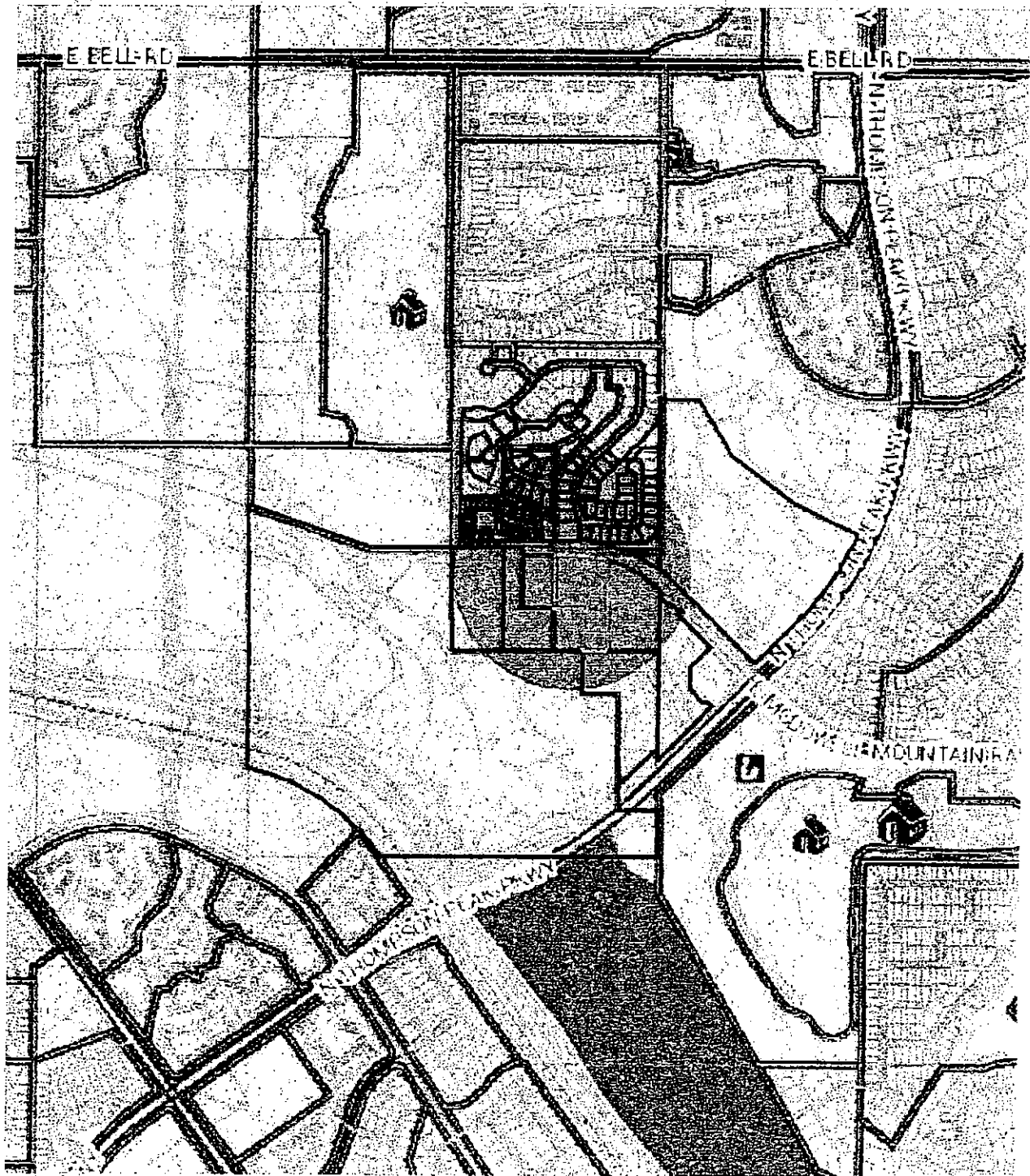
The July-August issue of the McDowell Mountain Ranch Newsletter included a cover article on the proposed multi-family project on the adjoining property and incorrectly stated that our project was proposed at 48'. The actual proposed height is 39'. We notified the Newsletter publisher and requested a correction on next issue.

A letter explaining the modification to the application by removal of ESL overlay zoning was mailed out to the same 750' property owners and interested parties as the initial notification letter per the attached.

We are continuing discussions with the Horseman's Park resident and will continue to encourage and respond to questions/comments/concerns throughout the entire public hearing process. The Citizen Review Report will be updated as needed prior to the Planning Commission and City Council hearings.

Attachments

- : Map showing the area of notification
- : List of property owners with the notification area and interested parties
- : Letter to property owners and interested parties
- : Affidavit of posting
- : Community Input Certification
- : Email exchanges with Horseman's Park residents
- : NEXTDOOR postings
- : Open House attendees
- : Letter to property owners within the notification area and interested parties



750' NOTIFICATION AREA

Michael P. Leary, LTD

10278 E. Hillery Drive
Scottsdale, Arizona 85255

Cell (480) 991-1111
michaelpleary@cox.net

DATE: April 26, 2019

TO: Neighboring Property Owners and Interested Parties

FROM: Mike Leary, Development Consultant

RE: Senior Living at McDowell Mountain Ranch

A senior care facility comprising independent living, assisted living and memory care is proposed on a 5-acre vacant property on the south side of McDowell Mountain Ranch Road just west of 99th Place. The site backs up to the blighted Bureau of Reclamation property that contains the large drainage basins and WestWorld support facilities. As such the proposed development will provide a buffer for the residential developments north of McDowell Mountain Ranch Road and the existing and future facilities/activities within the Bureau property. Enclosed is our preliminary site plan and conceptual building design.

Historically, the property retains the County 1972 annexation R1-35 zoning (one house per acre) which was the zoning classification of most of the County north of the CAP Canal. Post annexation all the surrounding developments that now exist were subsequently rezoned. The current zoning does NOT comply with the enclosed City's General Plan "Conceptual Land Use Map" which indicates "Office". The "Office" designation equates to the "Commercial Office (C-O)" zoning district which typically develops with multi-story offices that can generate a significant amount of traffic, noise, lighting and activity. However, a "residential health care facility" is also an allowed use and generates conversely minimal traffic, noise, lighting, and activity. The use is generally considered benign and compatible with both residential and non-residential areas. Common questions which are raised with rezoning requests and this use specifically are:

Can the City Council restrict the use of the property to just the senior living facility? Although the legal answer is governing bodies are precluded from limiting rezonings to specific uses, the City achieves that goal by stipulating conformance to specific development plans which by their nature are use-specific and not convertible to other uses. If the stipulated development plans were subsequently proposed to be altered, an amendment would be required to go through the same Planning Commission and City Council public hearing process.

Will development adhere to the "dark sky" policy? Yes, lighting will be limited in number, lumen, and location to minimize total light emanation. Lighting will also be tightly controlled along the street frontage to preclude off-site light spill.

Will ambulances be using sirens to transport residents? The facility does not provide nursing care and the residents are ambulatory. As a matter of policy and practice, ambulances do not utilize sirens in residential areas.

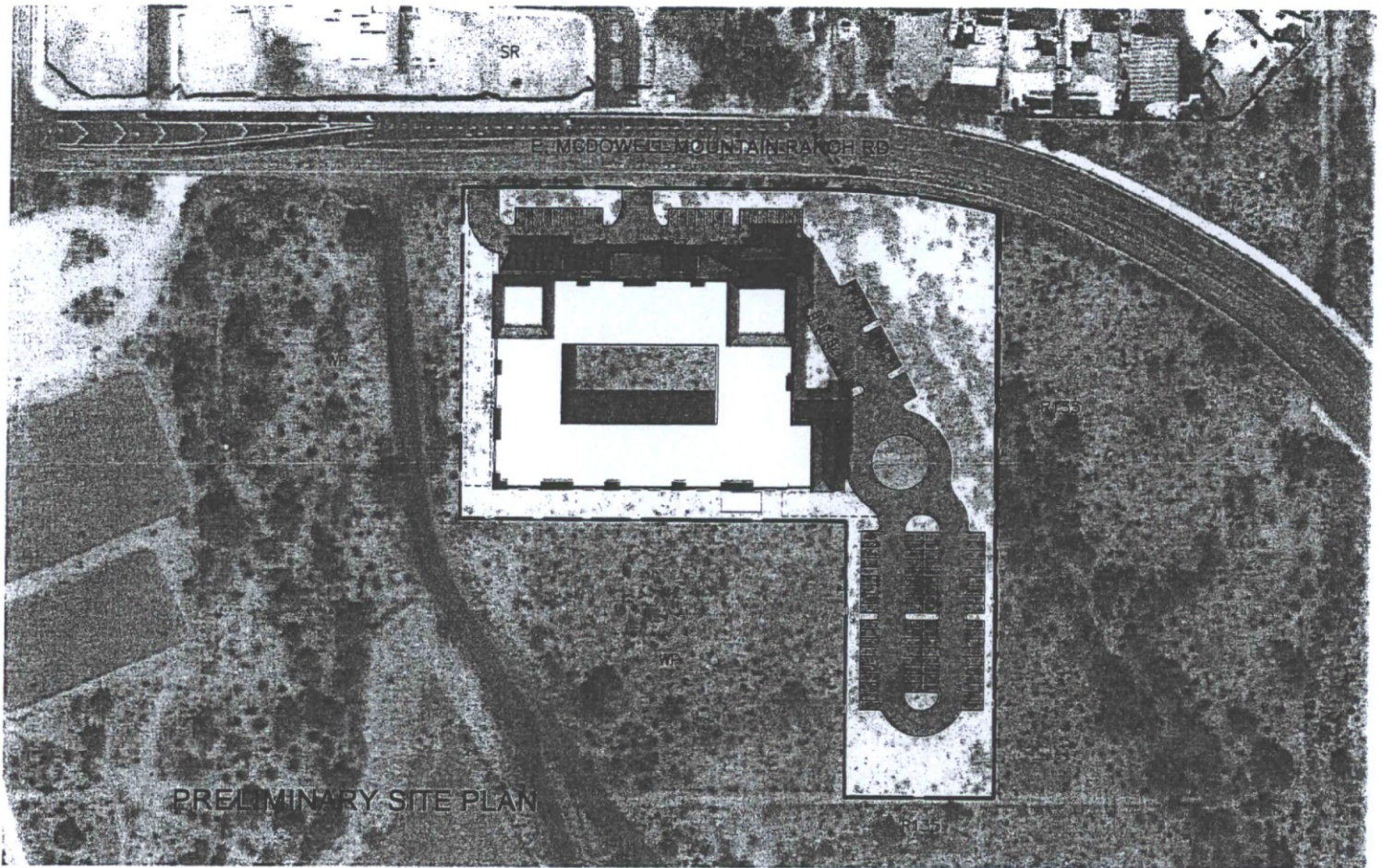
As an interested party or property owner within 750' of the property, you are receiving this notification as part of the City's Public Outreach and Input process. Accordingly, we are also hosting an "Open House" from 6:00 pm to 7:30 pm on Tuesday May 7th at the McDowell Center located at 16116 N. McDowell Mountain Ranch Rd., Scottsdale, AZ 85255.

We hope to subsequently file a formal application with the City to change the zoning from R1-35 PCD ESL (Single-family Residential within a Planned Community District in Environmentally Sensitive Lands) to C-O PCD ESL (Commercial Office within a Planned Community District in Environmentally Sensitive Lands) to allow the proposed senior living development. Immediately after filing the application, you will be receiving a postcard from the City notifying you of the application submittal.

If you should have any questions, please contact me at your convenience. You may also contact City of Scottsdale Senior Planner Doris McClay who is assigned to this project and can be reached at 480.312.4214 and dmcclay@scottsdaleaz.gov. Our preliminary application case number is 99-PA-2019.

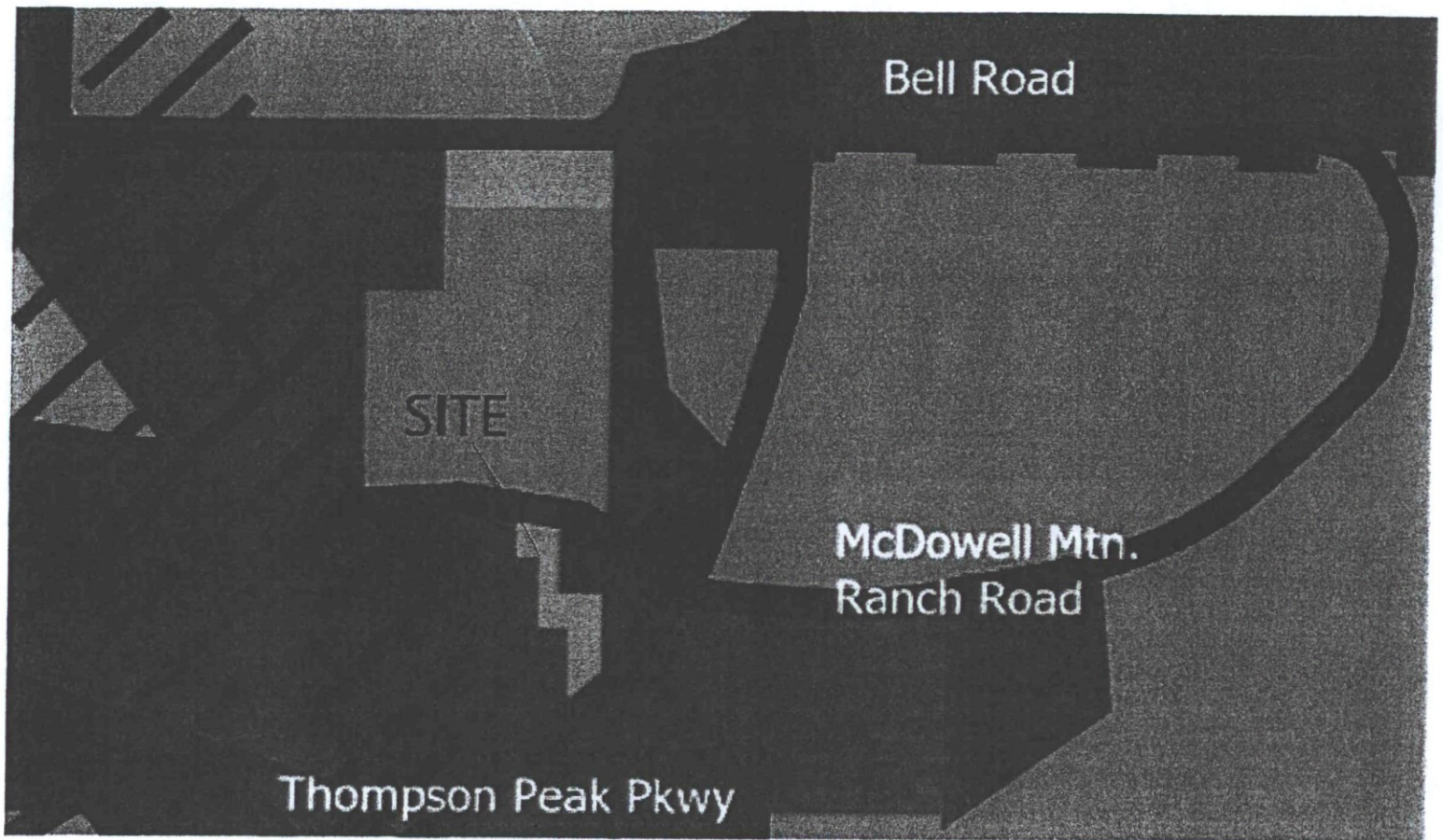
Thank you! ML

enclosure


















RYAN

SENIOR LIVING AT MCDOWELL MOUNTAIN RANCH



Conceptual Land Use Map

	Rural Neighborhoods		Commercial
	Suburban Neighborhoods		Office
	Urban Neighborhoods		Employment
	Mixed-Use Neighborhoods		Natural Open Space
	Resorts/Tourism		Developed Open Space (Parks)
	Shea Corridor		Developed Open Space (Golf Courses)
	Mayo Support District		Cultural/Institutional or Public Use
	Regional Use District		

Early Notification of Project Under Consideration

Neighborhood Open House Meeting

Date: Tuesday, May 7, 2019, Time: 5:00 PM - 7:00 PM
Location: McDowell Center - 18116 N. McDowell Ave.
 Rough Road, Scottsdale, AZ 85265

Site Location: 9909 E. McDowell Mnt. Ranch Rd.

Project Overview:

Neighborhood Meeting to C.O. PCD EIS (Commercial Office, Urban & Planned Community District in Environmental Services Land Use in Conformance with the City's General Plan & the City's 2019 Project A Process Map. An optional community meeting providing residents an opportunity to provide comments.


Site Address: 9909 E. McDowell Mnt. Ranch Rd. (at McDowell Ave.)
 Planned Community District in Environmental Services Land Use
 EIR #2019-001

Applicant Contact: Mike Leary 480-881-1111
 Email: micleary@cdm.com

City Contact: Doreen McClay 480-312-4214
 Email: dmcclay@scottsdaleaz.gov

Meeting Date: Tuesday, May 7, 2019
Meeting Time: 5:00 PM - 7:00 PM

Project Information: The project is a new 100,000 sq. ft. commercial office building with 100 parking spaces. The project is located on a 10-acre site. The project is a new building and will not affect the existing building.



Affidavit of Posting

Required: Signed, Notarized originals
 Recommended: E-mail copy to your project coordinator

☒ Project Under Consideration Sign (White) ☐ Public Hearing Notice Sign (Red)

Case Number: 99-PA-2019

Project Name: _____

Location: 9909 E McDowell Mnt. Ranch Rd.

Site Posting Date: April 27, 2019

Applicant Name: Mike Leary

Sign Company Name: Dynamite Signs

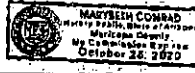
Phone Number: 480-585-3031

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Michael Leary 4/29/19
 Applicant Signature Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 29th day of April, 2019



MATTHEW CONRAD
 Notary Public, State of Arizona
 My Commission Expires
 October 26, 2022

Matthew Conrad
 Notary Public
 My commission expires 10/26/22

City of Scottsdale - Current Planning Division
 7447 E Indian School Road, Suite 105, Scottsdale, AZ 85261 • Phone: 480-312-7020 • Fax: 480-312-7065

Email exchanges with Horseman's Park neighbors thru 05.07.19

From: Ed Grant IV <egrant4@simaz.com>

Sent: Tuesday, May 7, 2019 4:11 PM

To: mike leary

Cc: mafoster272@gmail.com; eric.e.bjorkman@intel.com; cthorpe@righthonda.com; McClay, Doris

Subject: Re: Proposed Senior Living at McDowell Mountain Ranch

Thanks Mike. We'll see you at the open house tonight and can discuss further.

We would appreciate your client preparing an exhibit of showing how the proposed development will impact the southern view corridor from the homes that back to MMR Road. Craig Thorpe (on this e-mail) owns one of those homes for reference. In the past, they've taken the vantage point of a 6 foot individual sanding in the back yard and looking toward the development. While I do appreciate the comparison to Kota, again, I would offer that is different given that Kota fronts TPP. I'll check the streets map, but I believe TPP is a Minor Arterial and MMR is just a collector.

As for the Avondale comment, I'm not sure what else to tell you. I looked at another property today in Glendale and observed the same phenomenon. (GP designation is high-density residential, zoning is for retail and industrial.) Again, it's a tactic utilized by the City generally to make sure that the developer integrates with what surrounds the area.

See you later this evening.

Ed

From: mike leary <outlook_59CA1EDED17AAFFC@outlook.com> on behalf of mike leary <michaelpleary@cox.net>

Date: Tuesday, May 7, 2019 at 3:04 PM

To: Ed Grant <egrant4@simaz.com>

Cc: "mafoster272@gmail.com" <mafoster272@gmail.com>, "eric.e.bjorkman@intel.com" <eric.e.bjorkman@intel.com>, "cthorpe@righthonda.com" <cthorpe@righthonda.com>, "McClay, Doris" <DMcClay@scottsdaleaz.gov>

Subject: Re: Proposed Senior Living at McDowell Mountain Ranch

Ed and Eric again I'm sorry that I couldn't get back to you immediately but here's some scoop I found.

As to the building height, the preliminary plans show a height of around 40' but the building is lower than the adjoining street. As the site is sloping south away from the street, the building finish floor elevation (FFE) will be approximately 10' below the FFE of the townhomes (actually condos). That 10' differential should lower the perceived height substantially. By contrast the Kota apartments are 32' 6" in height and like Horseman's Park and Graythorn may appear taller as they are on the high side of the slope. From a top-of-building elevation standpoint, the project should end up lower than KOTA - one of the benefits of being on the low side of a slope.

On the annexation, geez I would think Avondale has a problem by down-zoning property without property owner permission. I believe it's in conflict with Arizona State Statutes which precludes the diminishment of value without compensation. What I do know is when Scottsdale annexed County properties in the 70's and 80's when I was a City Planner, the comparable Scottsdale zoning designation was used exclusively - no up-zoning or down-zoning.

Hope this helps. ML

From: Ed Grant IV <egrant4@simaz.com>

Sent: Wednesday, May 1, 2019 8:21 PM

To: mike leary

Cc: mafoster272@gmail.com; eric.e.bjorkman@intel.com; cthorpe@righthonda.com; McClay, Doris

Subject: Re: Proposed Senior Living at McDowell Mountain Ranch

Thanks Mike. Please see below in blue.

From: mike leary <outlook_59CA1EDED17AAFFC@outlook.com> on behalf of mike leary <michaelpleary@cox.net>

Date: Monday, April 29, 2019 at 12:54 PM

To: Ed Grant <egrant4@simaz.com>, mike leary <michaelpleary@cox.net>

Cc: "mafoster272@gmail.com" <mafoster272@gmail.com>, "eric.e.bjorkman@intel.com" <eric.e.bjorkman@intel.com>, "cthorpe@righthonda.com" <cthorpe@righthonda.com>, "McClay, Doris" <DMcClay@scottsdaleaz.gov>

Subject: Re: Proposed Senior Living at McDowell Mountain Ranch

Ed thanks for the quick reply.

1. The building is indeed three floors and the permitted height by right is 48' but would expect the building height to be several feet lower. Also, the grade on the northside of MMR is higher than the south. I'm not sure that the character of the area is well-defined with the mix of one-story townhomes, one-and two-story single-family residences and two-story apartments. The storage facility was approved with both two-story and three-story components. The rendering is concept at this stage and the design hasn't been fleshed out as of yet. I respectfully disagree with you...the character is actually quite well-defined. Property that fronts TPP and the gas station has the height, and what's west of that does not. In addition, the storage facility does not have people living in the top of the facility...this facility will have that. And to your point on defining the mix in the area, an out-of-place building (in terms of height) would define this area in a manner that's inconsistent with existing conditions. I'm sorry, but this is something I'm going to have to insist on at this point for me to support the project. Looking forward to discussing further.

2. Past annexations in Scottsdale and elsewhere incorporated County zoning to the nearest city classification for pure simplicity. City Land Use Plans were then subsequently developed and the basis for granting changes in land use. More of a 1-2-3- process. We are willing and expect tight stip that reflect what we are proposing. Like the storage facility, we keep our word. I'm dealing with an annexation in Avondale now where the City intentionally gave an underlying zoning classification that conflicts with the GP designation in order to force the developer to play ball with the City. This is generally done to ensure that the City gets what they want, and it's something that fits with the surrounding area.

- 3. We clearly believe that the proposed use will be more compatible and acceptable to the residents than office or other C-O permitted uses. The parcel in between George Bell's storage facility and ours has been separately owned for decades by the Thomas family. There have been discussions about development of their property, but I haven't seen anything yet. The Thomas property and our property will be the last parcels to develop on MMRR and I think in the general area. Heights, densities, etc. being equal, I agree with you.**
- We are constantly looking for ways to mitigate potential neighborhood concerns. The original plan had our main driveway aligned with your entry at 99th Place to comply with the City's driveway spacing and alignment criteria. We have now proposed the location further west aligning with the townhome driveway as there will be less traffic coming from the small TH project than Horseman's Park. This change is subject to Transportation Department's review which we believe they'll support. Understood.**

From: Ed Grant IV <egrant4@simaz.com>

Sent: Monday, April 29, 2019 8:59 AM

To: mike leary

Cc: mafoster272@gmail.com; eric.e.bjorkman@intel.com; cthorpe@righthonda.com; McClay, Doris

Subject: Re: Proposed Senior Living at McDowell Mountain Ranch

Thanks Mike. Really appreciate the heads up. I had heard through the grapevine this was coming, so we appreciate being engaged early on in the process to discuss.

A few questions/thoughts for you...

1. What's the permitted height by right? Renderings look to be 3 stories-ish, which is way out of character for the area. Please confirm if you would.
2. I see your mention of the underlying zoning not complying with the GP map, but, as you know, that's a tactic cities frequently employ at annexation to force a GP and/or rezoning. As was the case with the storage facility, we'll look for tight stip and a site plan that conforms with what we're told will develop.
3. Notwithstanding the height comment above, the proposed use would seemingly be more compatible than office. Does your owner own the parcel west and in between the storage

facility and this? I think it's the same applicant as the storage facility, no? Any plans for the donut hole in between?

Thanks Mike!

Ed

From: mike leary <outlook_59CA1EDED17AAFFC@outlook.com> on behalf of mike leary <michaelpleary@cox.net>

Date: Saturday, April 27, 2019 at 6:26 PM

To: Ed Grant <egrant4@simaz.com>

Cc: "mafoster272@gmail.com" <mafoster272@gmail.com>, "eric.e.bjorkman@intel.com" <eric.e.bjorkman@intel.com>, "cthorpe@righthonda.com" <cthorpe@righthonda.com>

Subject: Proposed Senior Living at McDowell Mountain Ranch

Hi Ed! I just want to reach out directly to you and your neighbors regarding another project I'm consulting on just down the street from the McDowell Mountain storage facility. Attached is the "Early Notification" letter that was just mailed out to the property owners within 750' (that includes you folks). The project is southwest of your subdivision and behind the Verde Canal berm that has all the overgrown vegetation. I'm not sure what, if any, portions of the project will be even visible from HP. Per the letter, the use has extremely low impacts on the things that matter to residents e.g. traffic, noise, activities and lighting. So far, we have staff support for the project and we're hoping to build upon that support with positive results from our public outreach efforts.

Ed, if you or your neighbors have any questions/comments/concerns, please feel free to contact me at any time. I'm just one-mile from away :).

Thanks again! ML

NEXTDOOR POSTINGS May 7th THRU May 9th

Betty Janik

Windgate Ranch 2

OPEN HOUSE FOR MAJOR GENERAL PLAN AMENDMENT & REZONING May 7 @ 6pm

This is a very big request from SENIOR LIVING AT MCDOWELL MT RANCH for general plan amendment and rezoning near MMRR and 99th Place - your neighborhood. It is on a 5 acre site. BE INFORMED BY ATTENDING THE OPEN HOUSE Tuesday - tomorrow - MAY 7 at 6-7:30 pm LOCATION of OPEN HOUSE McDowell Center 16116 N McDowell Mountain Ranch RD

2d ago · 17 neighborhoods in General

Jason Alexander

McDowell Mountain Ranch South · 2d ago

I am planning to attend, but juggling with kids' activities. I have several concerns with the project. First and foremost, the upzoning. They are asking for three stories, but that would be unlike any of the surrounding residences which are all 1 story homes or 2 story apartments. Also, what will they do to improve the neighborhood? I have crossed Thompson Peak from the gas station to the Library complex many times on foot and bike, cars are constantly turning right on red from MMR Road, with very little concern for pedestrians in the crosswalk. Walkability to the library and aquatic center will be a big draw for the residents, but the idea of a slower senior having to cross Thompson Peak while anxious drivers are trying to rush through...seems a death waiting to happen. We don't let the kids do it without a crossing guard, and that doesn't always provide enough protection from hurried drivers. There are no crosswalks from the Senior Living Facility further west connecting it with 98th Street. Again, I see someone potentially get hit.

Jennifer Vallette

McDowell Mountain Ranch North · 2d ago

My question is, as with all the other family housing being built in the specific area. Why would senior housing be so close to a major entertainment and event venue? When I'm retired or in assisted living I don't think I'd want loud evening and daytime music, announcers, car show sounds, etc. It just seems so random that they would consider this.

Michael Leary

McDowell Mountain Ranch South · 1d ago

Betty, I'm the applicant for the senior living facility proposed on the south side of MMRR west of 99th Place. The City miss-posted on its P&Z website that the zoning request was for a Major Plan Amendment - it is NOT! To the contrary, the rezoning CONFORMS with the General Plan and the current zoning does not. See below: From: McClay, Don <DMcClay@scottsdaleaz.gov> Sent: Monday, May 6, 2019 8:42 AM To: mike leary Subject: RE: Senior Living MMR - wrong Open House notice on City website Hi Mike Sorry for the error. We are sending out a revised P&Z with the correct information. "Applicant-based open house for a rezoning case located at 9909 E. McDowell Mountain Ranch Road Tuesday, May 7 6-7:30

p.m. The McDowell Center, 16116 N. McDowell Mountain Ranch Road Applicant contact: Mike Leary
480-991-1111 michaelpleary@cox.net"

Jason, thanks for planning on attending. Per the letter I previously sent, the request is to zone the property from the 1972 County annexation zoning to the classification that conforms with the City's General Plan. This is not a Major or Minor General Plan amendment - the request conforms with the GP. I've checked City records and the Kota apartments are 32'5" in height and we're proposing a height in the 40' range. The exact height hasn't been determined but the site is downhill from properties on the northside MMRR which would lower the perceived height of the building. I live in MMR and like you I have crossed TPP with great trepidation but the problem applies to all ages. However offsite issues like these are not the responsibility of project that don't exasperate existing problems. Providing a sidewalk and crosswalk to 98th Street is the responsibility of the City as the adjoining properties are part of WestWorld.

Jennifer, the project is uniquely located. The infrequent Westworld major events (e.g. Barrett-Jackson) are over a 1/2 mile away. The WestWorld 40-acre stormwater detention basins are immediately opposite the property and pose no negative impact on the proposed use. I previously posted the letter that was sent out to nearby properties and am posting again below for whoever might be interested. I'm sorry but this site isn't letting paste the site plan and perspective of the project.

Michael P. Leary, LTD 10278 E. Hillery Drive cell (480) 991-1111 Scottsdale, Arizona 85255
michaelpleary@cox.net

DATE: April 26, 2019

TO: Neighboring Property Owners and Interested Parties

FROM: Mike Leary, Development Consultant RE: Senior Living at McDowell Mountain Ranch

A senior care facility comprising independent living, assisted living and memory care is proposed on a 5-acre vacant property on the south side of McDowell Mountain Ranch Road just west of 99th Place. The site backs up to the blighted Bureau of Reclamation property that contains the large drainage basins and WestWorld support facilities. As such the proposed development will provide a buffer for the residential developments north of McDowell Mountain Ranch Road and the existing and future facilities/activities within the Bureau property. Enclosed is our preliminary site plan and conceptual building design. Historically, the property retains the County 1972 annexation R1-35 zoning (one house per acre) which was the zoning classification of most of the County north of the CAP Canal. Post annexation all the surrounding developments that now exist were subsequently rezoned. The current zoning does NOT comply with the enclosed City's General Plan "Conceptual Land Use Map" which indicates "Office". The "Office" designation equates to the "Commercial Office (C-O)" zoning district which typically develops with multi-story offices that can generate a significant amount of traffic, noise, lighting and activity. However, a "residential health care facility" is also an allowed use and generates conversely minimal traffic, noise, lighting, and activity. The use is generally considered benign and compatible with both residential and non-residential areas.

Common questions which are raised with rezoning requests and this use specifically are:

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goal by stipulating conformance to specific development plans which by their nature are use-specific and not convertible to other uses. If the stipulated development plans were subsequently proposed to be altered, an amendment would be required to go through the same Planning Commission and City Council public hearing process.

Will development adhere to the "dark sky" policy? Yes, lighting will be limited in number, lumen, and location to minimize total light emanation. Lighting will also be tightly controlled along the street frontage to preclude off-site light spill.

Will ambulances be using sirens to transport residents? The facility does not provide nursing care and the residents are ambulatory. As a matter of policy and practice, ambulances do not utilize sirens in residential areas.

As an interested party or property owner within 750' of the property, you are receiving this notification as part of the City's Public Outreach and Input process. Accordingly, we are also hosting an "Open House" from 6:00 pm to 7:30 pm on Tuesday May 7th at the McDowell Center located at 16116 N. McDowell Mountain Ranch Rd., Scottsdale, AZ 85255. We hope to subsequently file a formal application with the City to change the zoning from R1-35 PCD ESL (Single-family Residential within a Planned Community District in Environmentally Sensitive Lands) to C-O PCD ESL (Commercial Office within a Planned Community District in Environmentally Sensitive Lands) to allow the proposed senior living development. Immediately after filing the application, you will be receiving a postcard from the City notifying you of the application submittal.

If you should have any questions, please contact me at your convenience. You may also contact City of Scottsdale Senior Planner Doris McClay who is assigned to this project and can be reached at 480.312.4214 and dmcclay@scottsdaleaz.gov. Our preliminary application case number is 99-PA-2019. Thank you! ML Enclosure

Jennifer Vallette

, McDowell Mountain Ranch North · 1d ago

@Michael-Thank you for the response but I've lived here since 2003 and I can promise you it's a bit more than Barrett. The annual Polo Party, Good Guys car shows, Bike Week, numerous horse shows and rodeos, RV Shows, Beachfest, Fourth of July, the Shrine Circus, and MANY other large events create noise levels that anyone living that close will hear. It's on their event calendars and growing every year.

Joseph Chaplik

, McDowell Mountain Ranch South · 1d ago

What is wrong with the Senior Living Center at FLW and 100th? Looks like a fine building. Is it fully occupied and is there a strong need for another facility so close as proposed?

Michael Leary

, McDowell Mountain Ranch South · 1d ago

Joseph my understanding is that Belmont project is indeed full which confirms what our marketing study has concluded - our area is considerably underserved and the reason why this project is being proposed. Hope this helps

Michael Leary

, McDowell Mountain Ranch South 1d ago

Jennifer, yes there are several venues that occur at WestWorld but primarily on the western end of the facility. Senior living basically occurs within the building so any noise that may emanate from WestWorld is not viewed as a problem like it might be for single-family residents.

John Rowton

, McDowell Mountain Ranch South 1d ago

Building another facility in the Reata Wash?

Michael Leary

, McDowell Mountain Ranch South 1d ago

John thankfully we're not in it! :)

John Rowton

, McDowell Mountain Ranch South 1d ago

The proposed senior center would be in it. A bunch of seniors in a flood plain- what could go wrong?

Michael Leary

, McDowell Mountain Ranch South 1d ago

John if you give me call at 480.991.1111 or email me at michaelpleary@cox.net with your contact info and I can provide you a Maricopa County Flood Control Map of the property showing it's not within any 100-year floodplain. It's high and dry. :)

John Rowton

, McDowell Mountain Ranch South 1d ago

It is in Zone A on the city supplied map. Southeast of there is what I like to call Lake Westworld. I walk that way 3 or 4 times a week for the last ten years. If you look at the condos, townhouses or what ever they are building at 98th and McDowell- you will see what they did to try to avoid any flooding that now makes Lake Westworld possible.

John Rowton

, McDowell Mountain Ranch South 1d ago

I meant southwest of the proposed site is the location of Lake Westworld.

Michael Leary

, McDowell Mountain Ranch South 1d ago

John I know folks who call it "Mosquito Lake" although the City and State swear that there have never been larvae in their testing. But I don't know about you, but for the last couple of years I've been having

mosquitoes outside and inside my Discovery Canyon home. I also had mosquitoes when playing at Horizon Park. You probably noticed that the City has been draining the lake with a portable pump that dumps into a sewer manhole. There supposedly are 7 drywells to drain the basins but they are undoubtedly unable to deal with all the silt that plugs them up.

John Rowton

, McDowell Mountain Ranch South · 1d ago

There is a cement trail that leads from Horizon Park down to WestWorld. Just north of McDowell it was destroyed -- looks like water flow took it down years ago. Just saying- the odds of a real bad flood down there are slim but it is not worth the risk with seniors involved. FWIW- I am over 70.

Diane Drell

, McDowell Mountain Ranch South · Edited 1d ago

I have some comments -- can't make the meeting. What will this proposed facility do to ingress and egress on McDowell Mountain Ranch Road, Thompson Peak and Bell Rd.? Clearly, we have enough traffic in this area now and at certain hours, it is very heavy traffic. Also, employees that work at these types of facilities have a high turn-over rate. Therefore, we would be allowing all kinds of strangers from all walks of life into this area on two or three shifts a day. Michael Leary, You alluded to Belmont Village. I know a lot about Belmont Village from the inception of when they were developing it, then building it and when it was initially up and running. It is very cheap construction and it took a long time to fill up that place. There is in-the-wall air conditioning units in each apartment. That is just plain hokey and cheap! Is this proposed facility going to be similar to Belmont Village where a bunch of investors buy-in initially and at some point, resell it to other owners? The rendering of the building that was sent to us through the McDowell Mountain Ranch HOA shows a similar drawing to Belmont Village which I find very interesting. Any connection to the developer and original investors of Belmont Village? Mayor Lane welcomed Belmont Village with open arms and cut the ribbon at the Grand Opening. Is he going to be asked to attend this Grand Opening here too.... should this go through?

Adam Johnson

, DC RANCH/Silverleaf · 1d ago

As someone what works in the real estate side of senior care, senior living and memory care, the valley has a large shortage of inventory. With baby boomers getting older, to the tune of 10,000 a day hitting retirement qualifications I think this development is well position and needed. A few years ago, I sold a Senior Living deal off of FLW and Lia Linda, 155 units. Very high end, they have a very long waitlist now days. I would encourage people on here to take a look at some senior living communities. I think people get confused with senior living verses nursing home of days gone past. I think having Westworld nearby will be a major pull and selling feature. All the events Westworld has are geared to those with disposable incomes from cars to horses it all takes big bucks. I Look forward to seeing this project get approved and fill that void in senior living we have in this particular area. From a business plan perspective, the deal I sold was \$31m, recent traded again last year for \$60m

Adam Johnson

, DC RANCH/Silverleaf 1d ago

Mike do you have a link to the application or a url with the city that you can share?

Diane Drell

, McDowell Mountain Ranch South Edited 1d ago

I think we have an abundance of senior living in North Scottsdale and in 85260. By the time seniors move to a senior facility, it is usually because they aren't able to live independently in their own homes any more, so they don't go out real often. I don't believe West World will matter to people who live at this senior living residence, which I believe was mentioned would have an assisted living unit as well as a memory care unit. Also, will this facility be strictly a rental or a buy-in situation? I don't believe that has been mentioned. There is a big difference!

Adam Johnson

, DC RANCH/Silverleaf 1d ago

Diane, that is the thinking I am talking about. Senior living today is way different than the nursing homes of old. They are very active communities with sporting event outings, tennis clubs, golf clubs, hiking clubs, these types of facilities seniors are moving to for more social reasons than care reasons. With us living actively well into our late 80's this option has become very popular. Get ride of the expensive large house and move into a socially active community. Have of the Del Webb communities are focused on this. Mike mentioned that this is an ambulatory development, this is not a nursing home or hospice care. I would expect, like the last one I sold, it was a live cycle community so they had basically condos with no care at all, then some assisted living and theirs was special for it also have memory care. Most occupants in our rent studies planned on living there for 12 to 17 years, so these communities, again, are not nursing homes. Most senior living facilities are leased not buy in and the ones that are buy in are very expensive. I would be curious to know that the rates will be, that is probably a better indicator of what the community will be. \$1500 a month versus the one I have mentioned at \$5k to \$7k a month are different animals.

Diane Drell

, McDowell Mountain Ranch South Edited 1d ago

Adam Johnson, You are in the business of senior living sales. I am not speaking from that perspective, but that of a homeowner that lives in the vicinity of the proposed "retirement" home which will provide assisted living and memory care units. Most seniors today would prefer to live in their own homes, townhouses, condos or apartments as long as they can. I know about nursing homes and various types of retirement homes. Nursing homes is a different level completely. Why bring that up in this discussion? The retirement communities with very active communities don't have assisted living and memory care units. That is a different model you are writing about. Enough said on this subject. I am not in favor of this project in this area for all the reasons I stated above.

Adam Johnson

, DC RANCH/Silverleaf 1d ago

I too am a home owner, I am also a residential real estate agent of close to 28 years and I also for the past 23 years have sold apartment developments and for the past 8 years senior living, assisted living and memory care facilities as well. No shocker that you would be against for no other reason than it's a new development and a change to the status quo, another nimbby issue. I would think most of the homeowners near this development would be excited at the idea that when the time comes to move to something that is only senior, then assisted, then memory care and you get to stay in the community you live in now, that that would be a great thing to look forward too, my how I could be wrong.

Melissa Lorraine

, McDowell Mountain Ranch South 1d ago

I just saw this, and I just heard about this today so it is too late for me to make the meeting... I would have liked to have gone to voice my opinion but unfortunately cannot. So I'll just voice it here... "hell no!" 🗨️
There is nothing this adds to the community or its surroundings other than a 3- story monstrosity, traffic, and sirens! Please keep the residents in the area informed for any following meetings or any continual information. Thx.

John Rowton

, McDowell Mountain Ranch South 1d ago

Senior living is not the point Mr. Johnson, the point is- why put in Reata Wash which is a flood area?

Adam Johnson

, DC RANCH/Silverleaf 1d ago

John, All of the surrounding area, MMR, DC Ranch, Silverleaf, etc is in a flood plane. Part of the reason we don't have basements and we are built on stone. Every development that gets proposed anywhere near north scottsdale gets shot down. Complete NIMBY for sure. The condos at Silverleaf, the 135 room hotel near DC Ranch crossing the Greyhawk development northwest corner of Pima and TPP. I put my trust in the builder that it will be built to conform to current code, flood plane requirements. height restrictions given its lower elevation starting point. Yet some will stay say no for not in my back yard.

Bill Herf

, McDowell Mountain Ranch South 1d ago

Is this project instead of the public storage facility that was proposed a few months ago that would go behind Superpumper?

Jason Alexander

, McDowell Mountain Ranch South · 1d ago

Its not my place to tell the builder or the new residents they will be bothered by the noise and traffic from Westworld, or living next to a truck-filled maintenance yard that frequently has night-time heavy truck activity, or a months-long mosquito filled lake. I doubt they will be happy with their lack of open space. That is between the buyers and sellers. I dont think flooding will be a problem. (though Adam Johnson's info about flood plains is wrong as it stops at 98th Street - see the Reata Wash Flood Plain map - it includes none of MMR or Silverleaf, most of DC Ranch). My objection is to the 3rd story, and the cheap stick modular design that will not last. These two features are what make the project profitable for the developer. We residents get more traffic, probably another lane extension from the site into Westworld, possibly a signal at 98th St, and new residents demanding street crossings. Michael, you are correct the city doesn't require the developer to do those things. As a result the residents WILL eventually pay for those things. This is why we have nearly \$1B in unfunded infrastructure. If the city is going to grant you a zoning exemption, additional height, and allow another architecturally dull project... the taxpayers should get more in return. I would be much happier about this project if the developer didnt just take that 3rd story from the community, and instead made some of these impact improvements voluntarily. That is the cost of my support for the zoning variance.

Adam Johnson

, DC RANCH/Silverleaf · 1d ago

Jason, All of the areas I mentioned are within the flood plane. I look at title reports every day and address flood insurance questions as well. There are different classification, 100yr, 500yr, special circumstances, etc. Generally speaking anything at the basin of a mountain will be in a flood plane for water goes down hill. I would think increasing the property tax base, the sales tax base would go a long way to helping fund those infrastructure issues. Otherwise the alternative is say California where people are leaving so fast that even with raising sales taxes to almost 14% and personal income taxes to almost 15% the state simply cannot keep up with the out of control spending. I do thing we need to increase property taxes for they are way too low. Bringing seniors into this particular market, with larger disposable incomes will benefit the tax bases, provide more higher earning jobs to the local community and generally improve the overall living experience of the area. Not to mention those addition tax dollars for local public schools that is a nett 100% increase for I doubt many of those seniors will gave k-8 aged children going to local schools.

Jason Alexander

, McDowell Mountain Ranch South · 1d ago

Adam, Your argument about property and retail sales taxes flies in face of the last 10 years of City finances and our patterns of overdevelopment. We've seen how overdevelopment leads to underfunding. We may be increasing the tax base, but we are also creating unfunded needs and strain on existing city resources. Do you understand school funding? Outside the state and federal per-child allowance, anything else is a bond or override voted on by the local tax payers. Whether the new residents will

support additional school funding or not...I can not say. But in and of itself this project does nothing for schools. I also question the high paying jobs you foresee. I thought typical senior living facilities employed a lot of service-level work along with some health care professionals. Perhaps you can quantify the expected job and income distribution...I can not, but I'm sure its typical compared to other facilities like it. From my pov, its a very simple decision. The current proposal give too much away in zoning variances. Don't sell Scottsdale cheap. We should NEVER give away height, density and setbacks without getting something in return. As you've said, there is a ton of demand and its a seller's market. And while its not relevant to the thread, but, here is the Reata Wash Flood control area as defined by the City. The border is mostly Thompson Peak Parkway. This project is just outside the flood zone.

<https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Construction/reata/study-area-map-12-22-2015.jpg>

Adam Johnson

, DC RANCH/Silverleaf 1d ago

Gives too much away? It gives a small variance in height, 7ft 8 inches. Thats it. The the application is in fact only asking to update the already approved master plan for this parcel which hasn't been done since 1972. Last I checked, if this will have nursing care and memory care, nurses are some of the highest paid medical sector employees other than private practitioner doctors. Those jobs. Not to mention supporting industries such as food service, linen care or services, oxygen supply, etc, etc. We fundamentally look at development and advancement in two totally different points of view. Let me ask this, what was the last new development you or anyone here supported with as much vigor as the simply not in my back yard, I got mine everything else should be stopped? What was it? Massive regulations hurt our overall economy. A small variance for height on what most of us would consider S*&tty land to begin with is just what the doctor ordered. Just think back to when the genius city council of Phoenix thought it would be great to do a development on leased land, City North, how FUBAR that was. This is a small developement on 5 acres. Well within the building and planning envelop. It will bring a much needed service and getting larger every day, to the area, employs people and increase the tax base. All of those things far out weight the variance. And even that you will only ever see when you get gas at the gas station that was also opposed massively back on 1999 when it was put it.

Jason Alexander

, McDowell Mountain Ranch South 1d ago

Adam - thank you for describing some of the jobs that the facility will require. As I said, I did not know. I've been very clear in my mostly-support of Museum Square (it needs more parking), of Southbridge II. I have nothing to say about the Lane's End south of the Aquatic Center, or the project at the corner of 98th/MMR - they were easy as they were within the zoning code. I have nothing to say about the expansion of the Basha's plaza, or the infill across the street -- again, all within zoning. I dont oppose this development, nor am I for it. Its still in the planning phase. Zoning code matters, and its a seller's market. Dont sell Scottsdale cheap. Like you said, we view development very differently. But, would you of all people leave money on the table? That is what the City is doing if we give out zoning variances without getting enough benefits in return.

Donna Neuhauser

, McDowell Mountain Ranch North 1d ago

Hmmm... no ambulances onsite because all residents will b ambulatory? How can that b true if it offers assisted living n memory care svcs? Thank you..

Michael Leary

, McDowell Mountain Ranch South 1d ago

I want to thank the 21 folks who were able to attend the Open House meeting which went very well yesterday and we are encouraged by the questions asked and answers given. Conversely there are more questions/comments/concerns in this thread than I can reasonably respond to without generating even more questions/comments/concerns. Nonetheless I would like to reiterate a few items.

The request conforms to the City's General Plan.

We are NOT asking for any VARIANCE - zoning allows 48' and facility will be somewhere around 40' (we're still in preliminary design).

The property is NOT in a flood plain.

Our market study confirms that our area is underserved and that this facility will fill only part of that deficiency. The facility will be upscale befitting Scottsdale and nearby residents.

The facility will not result in a strain on traffic - the number of vehicular trips will be nearly 1/2 of what an alternative office use would generate.

I would ask and encourage anyone interested in this project to contact me directly at 480.991.1111 or michaelpleary@cox.net so that there can be a meaningful discussion. As someone suggested I will post the filing of the application with the City and the URL to access our case. Please note that the City only posts online the narrative and all the other submittal items will be in the case file accessible at the City's Record Department 7447 E. Indian School Road. With all that said I will be dropping off this thread for now but I will be available anytime for a call, email or an in-person meeting. Thanks again for your interest. ML



Open House Sign-In Sheet

Date: _____

Location: _____

This Sign-In Sheet is a Public Record

Name <i>Lucinda Stoneberger</i>		Business Name	
Address & Zip	Phone <i>970-412-4646</i>	E-mail	
Name <i>Billy / Joe Janicki</i>		Business Name	
Address & Zip <i>18490 N. 97th Wy</i>	Phone	E-mail	
Name <i>William Patterson</i>		Business Name	
Address & Zip <i>9850 McDowell Ntn Rndg</i>	Phone	E-mail	
Name <i>Kathy Littlefield</i>		Business Name <i>City Council</i>	
Address & Zip <i>8926 E. Sheena Rd</i>	Phone	E-mail	
Name <i>ERIC BJORKMAN</i>		Business Name	
Address & Zip <i>7922 E. MONTE CRISTO</i>	Phone <i>602 421 3868</i>	E-mail	
Name <i>Matt Foster</i>		Business Name	
Address & Zip <i>9906 E. Monte Cristo Ave</i>	Phone <i>405-819-3641</i>	E-mail	
Name <i>Ed Grant</i>		Business Name	
Address & Zip <i>16125 N. 99th Wy</i>	Phone <i>602-432-2248</i>	E-mail	



Open House Sign-In Sheet

Date: _____

Location: _____

This Sign-In Sheet is a Public Record

Name Jim Anderson		Business Name	
Address & Zip	Phone 480-342-7145	E-mail	
Name Jan Buggeln		Business Name	
Address & Zip 16231 N 99th Pl	Phone 480 9988035	E-mail janbuggeln@cix.net	
Name RON RODER		Business Name	
Address & Zip	Phone 480-473-8867	E-mail	
Name Michael Gonzalez		Business Name	
Address & Zip	Phone 480 503-0519	E-mail	
Name LAKSHMANA RALLAPATI		Business Name	
Address & Zip	Phone 602 5955044	E-mail	
Name Lynne & Bud Sessions		Business Name	
Address & Zip	Phone	E-mail	
Name Rick Fields		Business Name	
Address & Zip	Phone	E-mail	



Open House Sign-In Sheet

Date: **5.7.2019**

Location: **16116 N. McDowell Mtn. Ranch Rd.**

This Sign-In Sheet is a Public Record

Name MARTIN KAUFMAN		Business Name	
Address & Zip 10207 E. Hillery Dr	Phone 480-218-3787	E-mail ANNKAUFMAN1018@ASN.COM	
Name Mary		Business Name	
Address & Zip 16411 N. 111th	Phone	E-mail	
Name Justin Schwab		Business Name	
Address & Zip 16251 N. 98th Pl	Phone	E-mail JUSTIN.SCHWAB@YAHOO.COM	
Name Sue Hendrix		Business Name	
Address & Zip 11158 E Beck Ln	Phone	E-mail suehendrix44@msn.com	
Name BRETT LEVY		Business Name WRITEHER MEDIA	
Address & Zip 16491 N. 108TH STREET	Phone 480 419-5459	E-mail BRETT@WRITEHER.COM	
Name CAROLYN MEUSER		Business Name	
Address & Zip 10368 E VERBENA LN	Phone 480 264-1079	E-mail carolynmeuser@live.com	
Name CHARLES MEUSER		Business Name	
Address & Zip	Phone	E-mail	

Michael P. Leary, LTD

10278 E. Hillery Drive
Scottsdale, Arizona 85255

cell (480) 991-1111
michaelpleary@cox.net

DATE: August 12, 2019

TO: Neighboring Property Owners and Interested Parties

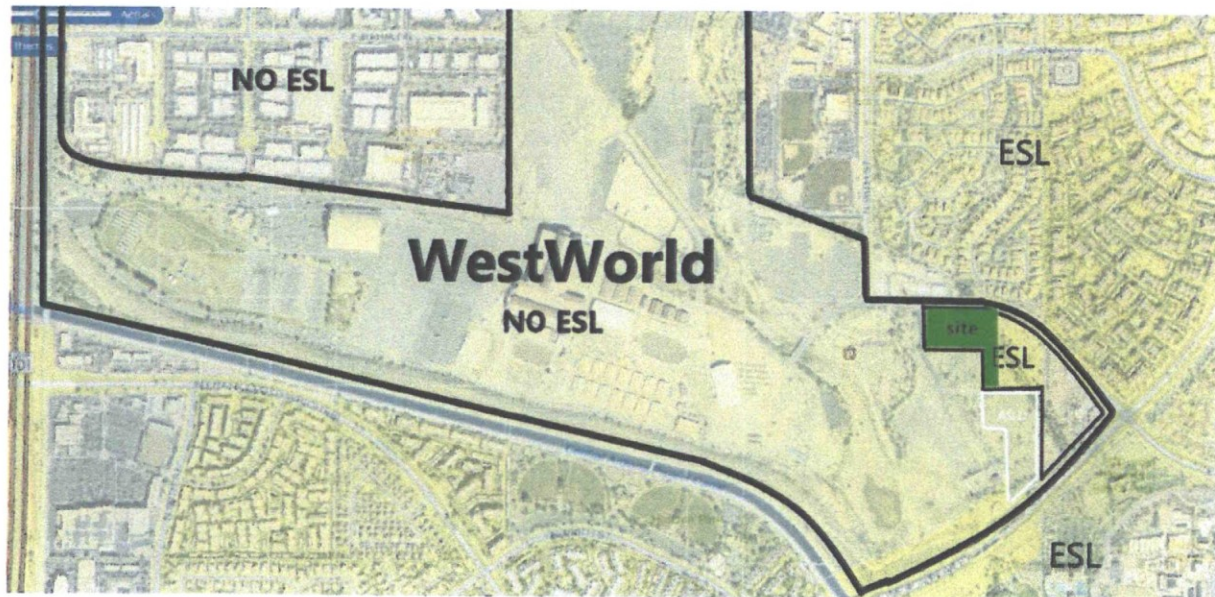
FROM: Mike Leary, Development Consultant

RE: Senior Living at McDowell Mountain Ranch – modification to rezoning request

A letter explaining the request to rezone the subject property was mailed back in late April. The rezoning application was filed back in May and we are hoping to be in the public hearing stage before Planning Commission in September and City Council in October. The project itself remains unchanged from the prior letter and formal application.

You are receiving this update as the application has been modified solely to remove the ESL (Environmentally Sensitive Lands) overlay district due to a City staff proposed dedication of right-of-way along our east property line as described below:

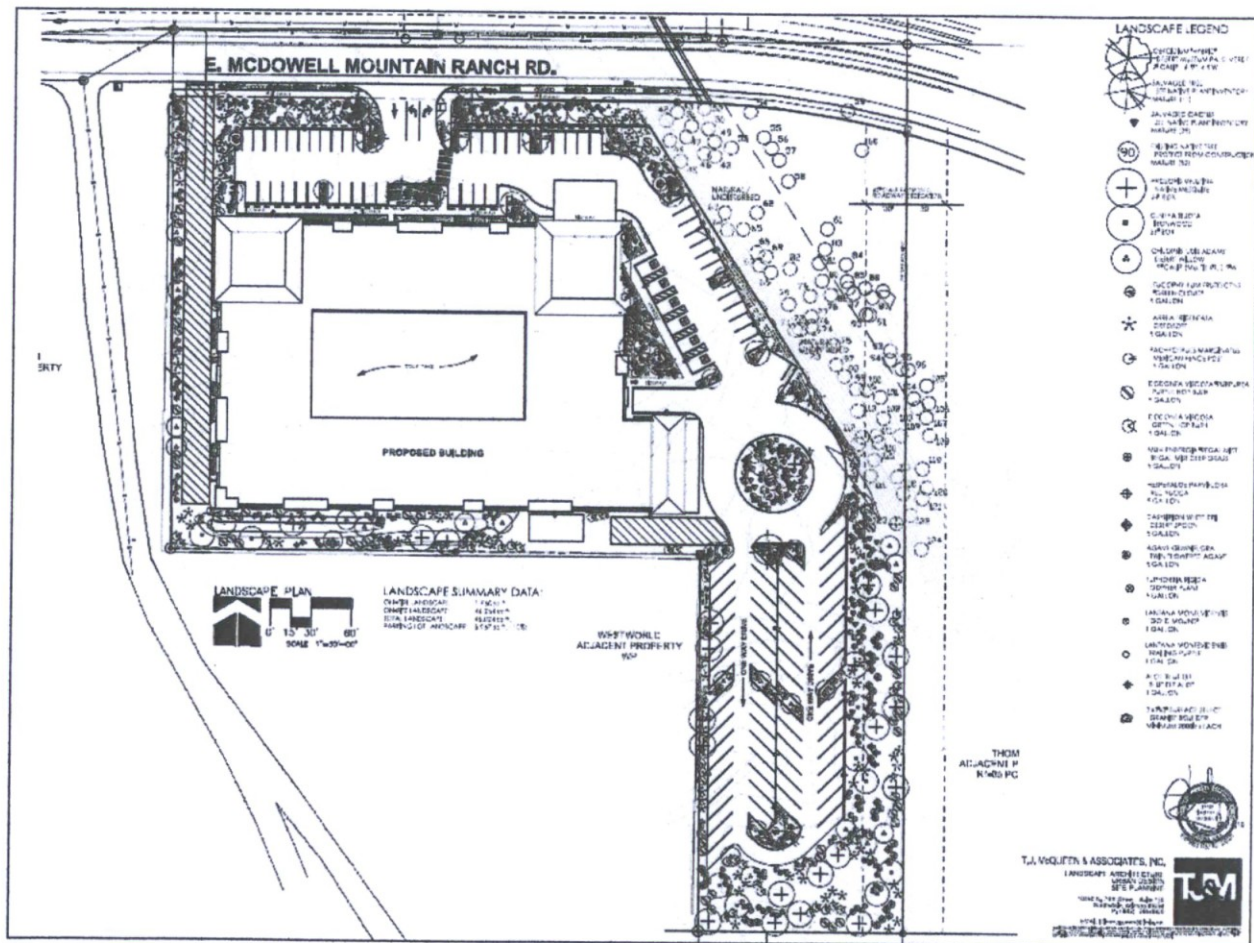
The subject property along with two others are the only ESL-zoned parcels on the south side of MMRR and west of Thompson Peak Parkway as shown on the graphic below:



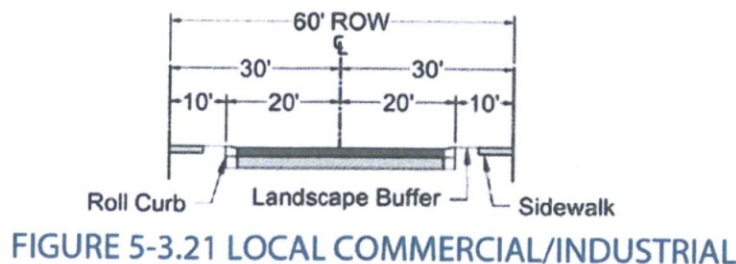
The removal of the ESL overlay is a direct result of staff's proposal to require a 30' half-street dedication along the eastern portion of the property and 30' on the adjoining parcel (60' total). Staff's long-held intent has been to preserve the opportunity to access the Arizona State Land Department ("ASLD") orphaned property located approximately 600' south of MMRR should the parcel be acquired

by a private developer. The ASLD parcel is access-constrained with right-in/right-out only to Thompson Peak Parkway. Access to MMRR does little, if any, to the practical private development of the ASLD property. The ASLD has not had any interest from private developers to acquire the property separate from an adjoining MMRR property. In contrast the City's long-held intent has been to acquire the ASLD property for the development of event parking within the adjoining WestWorld basin. Acquisition of the ASLD property has also been identified for inclusion in the November bond election

Despite the removal of the ESL overlay, there is NO CHANGE TO OUR PROPOSED LANDSCAPE PLAN INCLUDING UNDISTURBED NATURAL AREAS. The originally proposed landscaping and preservation of the old Rio Verde Canal remain unaltered in the hope and expectation that the City will drop the proposed roadway to the ASLD property.



If the City pursues construction of the ASLD roadway, below is the design standard cross-section:



We do not support the ASLD roadway dedication or street improvements for the following reasons: the roadway does not provide meaningful access for private development; the driveway at MMRR would be approximately 138' east of the Horseman's Park driveway and would not meet the City's 250' standard separation requirement; over 18,000 sf of landscaping and undisturbed area would be eliminated along our eastern property line and a like amount from the adjoining property including significant portions of the old Rio Verde Canal and undisturbed natural areas. Those lost areas create a technical deficiency in the minimum NAOS required but the project still provides an excess of Open Space required by the ESL standards. Our plan is to still provide ESL NAOS easements over the same areas previously identified so the net effect will be no change from what was originally proposed.

If you should have any questions, please contact me at your convenience. You may also contact City of Scottsdale Senior Planner Doris McClay who is assigned to this project and can be reached at 480.312.4214 and dmcclay@scottsdaleaz.gov. Our case number is 8-ZN-2019.

Thank you! ML

enclosure

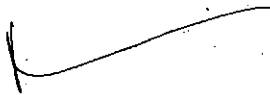
Name	Company	Address	City	State	Zip
JPMORGAN CHASE BANK NATIONAL ASSOCIATION		270 PARK AVE	NEW YORK	NY	10017
J GREEN PROPERTIES CORP		1200 HILARY LN	HIGHLAND PARK	IL	60085
PAMELA Y JORDAN-CULPEPPER LIVING TRUST		1255 S MICHIGAN AVE APT 2109	CHICAGO	IL	60605
SPUS8 DAKOTA LP		PO BOX 638	ADDISON	TX	75001
CALIANNO DEBORAH J/VITO A II		616 TETON DR	MCKINNEY	TX	75071-6415
ARIZONA STATE LAND DEPARTMENT		1616 W ADAMS ST	PHOENIX	AZ	85007
HORSEMAN'S PARK HOMEOWNERS ASSOCIATION		2400 E BILTMORE CIR STE 1300	PHOENIX	AZ	85016
HORSEMAN'S PARK HOMEOWNERS ASSOCIATION		2400 E ARIZONA BILTMORE CIRCLE STE 1300	PHOENIX	AZ	85016
USA-BOR		23638 N 7TH ST	PHOENIX	AZ	85024
STEPHENSON JOHN JR		PO BOX 31967	PHOENIX	AZ	85046-1967
JAT DOVE CAPITAL LLC		7500 E LINCOLN DR	SCOTTSDALE	AZ	85250
CITY OF SCOTTSDALE		9939 CIVIC CENTER PLAZA	SCOTTSDALE	AZ	85251
WINSTAR PRO LLC		10405 E MCDOWELL MOUNTAIN RANCH RD STE 202 F	SCOTTSDALE	AZ	85255
MARTIN PATTI		9938 E MONTE CRISTO	SCOTTSDALE	AZ	85255
CAPITAL SERVICES MMRR LLC		8525 E PINNACLE PEAK RD #100	SCOTTSDALE	AZ	85255
KREW FAMILY TRUST		9270 E THOMPSON PEAK PKWY SUITE 357	SCOTTSDALE	AZ	85255
PERRY FAMILY REVOCABLE LIVING TRUST		10022 E STONECROFT DR	SCOTTSDALE	AZ	85255
LAKSHMANA S RALLAPALLI AND ARUNA PRABHA TRUST		16186 N 98TH WAY	SCOTTSDALE	AZ	85255
WINSTAR PRO LLC		10405 E MCDOWELL MOUNTAIN RANCH RD STE 250	SCOTTSDALE	AZ	85255
GRAYTHORN DEVELOPMENT LLC		13654 E GERONIMO RD	SCOTTSDALE	AZ	85259
S99TSC LLC		16134 N 111TH WY	SCOTTSDALE	AZ	85259
TOUSLEY CHRISTOPHER M/DEVRA S		16267 N 99TH PL	SCOTTSDALE	AZ	85260
KAYYEM REVOCABLE TRUST		16249 N 99TH PL	SCOTTSDALE	AZ	85260
JANET FLORENCE BUGGELN LIVING TRUST		16231 N 99TH PL	SCOTTSDALE	AZ	85260
BEIERMEISTER KATHLEEN L		16213 N 99TH PL	SCOTTSDALE	AZ	85260
BATES ANDREW J/DAWN E TR		16195 N 99TH PL	SCOTTSDALE	AZ	85260
FOSTER FAMILY LIVING TRUST		9906 E MONTE CRISTO AVE	SCOTTSDALE	AZ	85260
BJORKMAN ERIC E/AMY B		9922 E MONTE CRISTO AVE	SCOTTSDALE	AZ	85260
MCCRACKEN GARY		9850 E MCDOWELL MOUNTAIN RANCH RD # 1003	SCOTTSDALE	AZ	85260
LESJOUR KYLE		9954 E MONTE CRISTO AVE	SCOTTSDALE	AZ	85260
STIEBER MARTIN D/CATHERINE E TR		9970 E MONTE CRISTO AVE	SCOTTSDALE	AZ	85260
KAADIGE MOHAN RAO/PAMARTHI REENA		16190 N 99TH WAY	SCOTTSDALE	AZ	85260
RAAD GHASSAN/MARCELLA TR		10610 N 99TH WY	SCOTTSDALE	AZ	85260
PARK FAMILY TRUST		16230 N 99TH WY	SCOTTSDALE	AZ	85260
SUSIE OKUN LIVING TRUST		9850 E MCDOWELL MOUNTAIN RANCH RD 1026	SCOTTSDALE	AZ	85260
PANCARO JOSEPH R/CORSARO SUELLYN		16247 N 99TH WAY	SCOTTSDALE	AZ	85260
MALAEKEH MICHAEL/MITRA		16229 N 99TH WAY	SCOTTSDALE	AZ	85260
PATEL FAMILY TRUST		16211 N 99TH WY	SCOTTSDALE	AZ	85260
TERZIS KATERINA P		16191 N 99TH WY	SCOTTSDALE	AZ	85260
GRANT EDWIN H IV/JENNIFER J		16125 N 99TH WY	SCOTTSDALE	AZ	85260
ECKHOLDT JASON E/CELINE		9987 E MONTE CRISTO AVE	SCOTTSDALE	AZ	85260
THORPE CRAIG S/SHANNON M		9971 E MONTE CRISTO AVE	SCOTTSDALE	AZ	85260
AGRAWAL ANUP/ANJALI		9955 E MONTE CRISTO AVE	SCOTTSDALE	AZ	85260
SAJEEV LIVING TRUST		9939 E MONTE CRISTO AVE	SCOTTSDALE	AZ	85260
WILLIAM AND NANCY HORNE 2003 TRUST		9923 E MONTE CRISTO AVE	SCOTTSDALE	AZ	85260
ASUGUL CAKMAK REVOCABLE TRUST		9118 E CAMINO DEL SANTO	SCOTTSDALE	AZ	85260
PETERSEN TROY R/JACQUELINE C		16156 N 99TH PL	SCOTTSDALE	AZ	85260
VODICKA ROBERT E III/CANDACE L		16180 N 99TH PL	SCOTTSDALE	AZ	85260
ULLMANN LARRY/TERESA		16196 N 99TH PL	SCOTTSDALE	AZ	85260
STEPHENSON ANNE K		16212 N 99TH PL	SCOTTSDALE	AZ	85260
SHAWN C DEYELL TRUST		16228 N 99TH PL	SCOTTSDALE	AZ	85260
LEE DANNY D/MEJINDA B		16244 N 99TH PL	SCOTTSDALE	AZ	85260
TUCKER DAVID/SYLVA		16260 N 99TH PL	SCOTTSDALE	AZ	85260
JORDAN E SALASNEK TRUST		16292 N 99TH PL	SCOTTSDALE	AZ	85260
NICK P CATSBRIS LIVING TRUST		16157 N 99TH WAY	SCOTTSDALE	AZ	85260
VARNER JAIME L		9850 E MCDOWELL MTN RD UNIT 1012	SCOTTSDALE	AZ	85260
VARNER TAYLOR J		9850 E MCDOWELL MOUNTAIN RANCH RD 1013	SCOTTSDALE	AZ	85260
POSIN KEITH/JAN B		9853 E MIRASOL CIR	SCOTTSDALE	AZ	85260
CLARIDGE ODETTE NAZARIAN/RYAN		9837 E MIRASOL CIR	SCOTTSDALE	AZ	85260
ENGELBERG FAMILY TRUST		16274 N 98TH PL	SCOTTSDALE	AZ	85260
COHEN MARIE TR		16250 N 98TH PL	SCOTTSDALE	AZ	85260
SCHWAB JUSTIN/CARISSA		16251 N 98TH PL	SCOTTSDALE	AZ	85260
ANDRE DERIC D		16281 N 98TH WAY	SCOTTSDALE	AZ	85260
BRECK JAMES EDWARD JR/MIKE LOUISE		16233 N 98TH WY	SCOTTSDALE	AZ	85260
GRUNWALD ANDREW W		8111-527 15029 N THOMPSON PEAK PKWY	SCOTTSDALE	AZ	85260
MURUGAPPAN CHOCKAINGAM/SOLAYAPPAN ALAMELU		16138 N 98TH WY	SCOTTSDALE	AZ	85260
TAYLOR PHILIP		16234 N 98TH WAY	SCOTTSDALE	AZ	85260
JANINE C LEVIN TRUST		9850 E MCDOWELL MOUNTAIN RANCH RD # 1009	SCOTTSDALE	AZ	85260
16295 LLC		PO BOX 13122	SCOTTSDALE	AZ	85267
HORSEMAN'S PARK COMMUNITY ASSOCIATION		1600 W BROADWAY RD STE 200	TEMPE	AZ	85282
BOO-NARAYANAN 2010 REVOCABLE TRUST		1135 OLIVE BRANCH LN	SAN JOSE	CA	95120
YORITA DAVID A/MEJINDA M		2447 196TH AVENUE SE	SAMMAMISH	WA	98075
SPH PROPERTY ONE LLC		1301 2ND AVE FL 31	SEATTLE	WA	98101
All Fakh	City of Scottsdale Planning Commission	8280 E. Gelding Drive, Suite 101	Scottsdale	AZ	85260
Annette Petrillo		1169 E. Cloverfield Street	Gilbert	AZ	85298
Audrey Villaverde	Withey Morris, PLC	2525 E. Arizona Biltmore Circle, Suite A-212	Phoenix	AZ	85016
Bob Griffith		7127 E. Rancho Vista Dr. #4002	Scottsdale	AZ	85251
Carla		3420 N. 78th Street	Scottsdale	AZ	85251

Chris Schaffner		7346 E. Sunnyside Dr.	Scottsdale	AZ	85260
Christian C. Serena	City of Scottsdale Planning Commission	6929 North Hayden Road, Ste. C4194	Scottsdale	AZ	85250
Community Development Dir Town of Paradise Valley		6401 E Lincoln Drive	Paradise Valley	AZ	85253
Constance Laub		10305 E. Via Linda 103 Ste 345	Scottsdale	AZ	85258
Dan Sommer		12005 N 84th Street	Scottsdale	AZ	85260
David G. Gullino		7525 E. Camelback Road, Suite 104	Scottsdale	AZ	85251
Solange Whitehead	City of Scottsdale City Council	3939 N. Drinkwater Blvd.	Scottsdale	AZ	85251
Director	Arizona Department of Water Resources	1110 W. Washington Street STE 310	Phoenix	AZ	85007
Dr. Sonnie Kirtley	COGS	8507 East Highland Avenue	Scottsdale	AZ	85251-1822
Ed Toschik, President		7657 E Mariposa Grande Dr	Scottsdale	AZ	85255
Edwin Bull	Burch & Cracchiolo PA	P.O. Box 16882	Phoenix	AZ	85011
Eric Gold		25499 N. 104th Way	Scottsdale	AZ	85255
Gary Phillips		7131 E. Cholla St.	Scottsdale	AZ	85254
Guy Phillips	City of Scottsdale City Council	3939 N. Drinkwater Blvd.	Scottsdale	AZ	85251
Howard Myers		6631 E Horned Owl Trail	Scottsdale	AZ	85266
Jim Funk	Gainey Ranch Community Association	7720 Gainey Ranch Road	Scottsdale	AZ	85258
Jim Haxby		7336 E. Sunnyside Dr.	Scottsdale	AZ	85260
Jim Lane, Mayor	City of Scottsdale	7666 E. El Rancho Drive	Scottsdale	AZ	85260
John Berry/Michele Hammon Berry Riddell, LLC		6750 E Camelback Rd, Ste 100	Scottsdale	AZ	85251
John Washington		3518 N Caribers Court	Scottsdale	AZ	85251
Kathy Littlefield	City of Scottsdale City Council	3939 N. Drinkwater Blvd.	Scottsdale	AZ	85251
Kevin D. Bollinger	City of Scottsdale Planning Commission	8031 E. Sutton Drive	Scottsdale	AZ	85260
Kirste Kowalsky	Withy Morris, PLC	2525 E. Arizona Biltmore Circle, Suite A-212	Phoenix	AZ	85016
Larry S. Kush	City of Scottsdale Planning Commission	7127 E. Rancho Vista Dr. #1001	Scottsdale	AZ	85251
Leon Spino		7814 E Oberlin Way	Scottsdale	AZ	85256
Linda Milhaven	City of Scottsdale City Council	3939 N. Drinkwater Blvd.	Scottsdale	AZ	85251
Linda Whitehead		9681 E Chuckwagon Lane	Scottsdale	AZ	85262
Lori Hays		P.O. Box 426	Cave Creek	AZ	85327
Marc Levye		10402 E Raintree Dr	Scottsdale	AZ	85255
Maricopa County Superintendent of Schools		4041 N. Central Avenue Suite 1200	Phoenix	AZ	85012
Michael Leary	Commercial Land Development Consulti	10278 East Hillery Drive	Scottsdale	AZ	85255
Mike McNeal, Supervisor	AT&T	1231 W. University Drive	Mesa	AZ	85201
Mike Retzken		8725 E. Palo Verde Dr.	Scottsdale	AZ	85250
Patti Badenoch		5027 N. 71st Pl	Scottsdale	AZ	85253
Paul Alessio - Chair	City of Scottsdale Planning Commission	7527 E. Tallspin Lane	Scottsdale	AZ	85255
Planning & Development Dep Maricopa County Planning & Developme		501 N. 44th Street, Suite 200	Phoenix	AZ	85008
Planning & Development Dire City of Phoenix		200 West Washington Street, 2nd Floor	Phoenix	AZ	85003
Planning & Engineering Sect Arizona State Land Department		1616 W. Adams Street	Phoenix	AZ	85007
Planning and Zoning	Town of Carefree	8 Sundial Circle P.O. Box 740	Carefree	AZ	85377
Planning Department	Town of Cave Creek	37622 N Cave Creek Road	Cave Creek	AZ	85331
Planning Department	SAP-MIC	10005 E Osborn Road	Scottsdale	AZ	85256
Prescott Smith	City of Scottsdale Planning Commission	4350 E. Camelback Rd., Suite G-200	Phoenix	AZ	85018
Project Management	Arizona Department of Transportation	205 S. 17th Avenue MD 60126	Phoenix	AZ	85007
Randall P. Brown	Spring Creek Development	7144 E. Stetson Dr. #425	Scottsdale	AZ	85251
Marissa Moore, AICP	Town of Fountain Hills	16705 E. Avenue of the Fountains	Fountain Hills	AZ	85268
Sherry Wagner/Right-of-Way	Mall Station PAB348	P.O. Box 52025	Phoenix	AZ	85072-2025
Steve Tyrrell		7753 E. Catalina Drive	Scottsdale	AZ	85251
Superintendent	Cave Creek Unified School District	P.O. Box 426	Cave Creek	AZ	85327
Superintendent	Scottsdale Unified School District	8500 E. Jackrabbit Rd	Scottsdale	AZ	85250
Suzanne Klepp	City of Scottsdale City Council	3939 N. Drinkwater Blvd.	Scottsdale	AZ	85251
Vickie Felen		10520 N. 117th Pl	Scottsdale	AZ	85259
Virginie Korte	City of Scottsdale City Council	3939 N. Drinkwater Blvd.	Scottsdale	AZ	85251
W.J. Jim Lane - Mayor	City of Scottsdale City Council	3939 N. Drinkwater Blvd.	Scottsdale	AZ	85251
Wade Tinant		4614 E. Running Deer Trail	Cave Creek	AZ	85331
	Granite Reef Neighborhood Resource Ce	1700 N Granite Reef Road	Scottsdale	AZ	85257
	Gemmage & Burnham, PLC	2 N. Central Avenue, 15th Floor	Phoenix	AZ	85004
	Southwest Gas Corporation	2200 N. Central Avenue Ste 101	Phoenix	AZ	85004
	Withy Morris, PLC	2525 E. Arizona Biltmore Circle, Suite A-212	Phoenix	AZ	85016
	Paradise Valley Unified School District	15002 N. 32nd Street	Phoenix	AZ	85032
	Earl, Curley & Lagarde, P.C.	3101 N. Central Avenue, Ste. 1000	Phoenix	AZ	85012
	Arizona Commerce Authority	333 N. Central Avenue, Suite 1900	Phoenix	AZ	85004
Betty Janik		18490 N. 97th Way	Scottsdale	AZ	85255
Holly Talbot	Horseman's Park HOA	1600 W. Broadway Rd. Suite 200	Tempe	AZ	85282
Sue Pancaro	Horseman's Park HOA	16247 N. 99th Way	Scottsdale	AZ	85260

Michael P. Leary, LTD

10278 E. Hillery Drive
Scottsdale, Arizona 85255

Cell (480) 991-1111
michaelpleary@cox.net

DATE: May 9, 2019
TO: Doris McClay, Scottsdale Senior Planner
FROM: Mike Leary 
RE: 99-PA-2019 – Citizen Review Plan

The Citizen Review Plan consists of the following:

- : mailing informational letters to interested parties and property owners/HOAs within 750' of the subject property by first class letter (see attached)
- : posting a "Project Under Consideration" sign a minimum of 10 days prior to the Open House
- : responding to postings on NEXTDOOR
- : responding to communications with interested parties
- : completing a "Citizen Review Report" to be submitted with the filing of the application.

Thank you ml

8-ZN-2019
5/13/2019

Michael P. Leary, LTD

10278 E. Hillery Drive
Scottsdale, Arizona 85255

Cell 480.991.1111
michaelpleary@cox.net

DATE : May 9, 2019

TO: Doris McClay, Scottsdale Senior Planner

FROM: Mike Leary

RE: 99-PA-2019 - **Citizen Review Report – Senior Living at McDowell Mountain Ranch**

Per the attached Citizen Review Plan, informational letters were sent to interested parties and property owners within 750' of the subject property. Additionally, parties involved in the McDowell Mountain Community Storage project located just east of the subject property were given advance notice of the proposal. A "Project Under Consideration" sign was erected on April 28, 2019 announcing the Open House held on May 7, 2019.

Prior to the Open House a Horseman's Park resident (involved in the storage zoning case and one of the parties who received advance notice of this application) contacted us concerned about the 3-story building and its height (Horseman's Park subdivision is just northeast of the subject property) being out of character with the area. The senior living use was not an issue. Per the attached string of emails, our response was that the building height would not appear as tall based upon the site being several feet lower than the homes on the north side of MMMRR due to the downward slope of the property. Also, our desire is to keep the Finish Floor Elevation as low as possible. There was a slew of NEXTDOOR postings the day before the Open House spurred by the City's incorrect online posting that our request was a Major General Plan amendment – there is no General Plan Amendment either Major or Minor. We posted the City's correction but postings continued nonetheless and included concerns about the lack of need, poor building quality, traffic impact on the TPP/MMRR intersection, seniors not being able to cross the intersection, noise emanating from WestWorld, building within a flood plain, strangers from all walks of life staffing the facility, and the City granting a zoning variance without getting exactions from the developer. There were also two individuals posting support of the project and countering some of the expressed concerns. We made seven replies addressing the substantive comments and reposted the notification letter that previously went out to 115 individuals. Due to the discussion sliding into unrelated matters and incivility, we asked that any other comments/questions/concern be handled directly with us via phone, email or in person.

Approximately 20 people attended the May 7th Open House including members of the MMR Board of Directors. Typical inquiries included details of the project's use, building height, building design,

access, lighting, and traffic. We were encouraged by the tone and demeanor of the attendees and believe that the concern expressed about the project's 3-story height will be mitigated.

We will continue to encourage and respond to questions/comments/concerns throughout the entire application process. The Citizen Review Report will be updated as needed prior to the Planning Commission and City Council hearings.

Attachments

- : map showing the area of notification
- : list of property owners with the notification area and interested parties
- : letter to property owners and interested parties
- : affidavit of posting
- : Community Input Certification
- : email exchanges with Horseman's Park residents
- : NEXTDOOR postings
- : Open House attendees

Michael P. Leary, LTD

10278 E. Hillery Drive
Scottsdale, Arizona 85255

Cell (480) 991-1111
michaelpleary@cox.net

DATE: April 26, 2019

TO: Neighboring Property Owners and Interested Parties

FROM: Mike Leary, Development Consultant

RE: Senior Living at McDowell Mountain Ranch

A senior care facility comprising independent living, assisted living and memory care is proposed on a 5-acre vacant property on the south side of McDowell Mountain Ranch Road just west of 99th Place. The site backs up to the blighted Bureau of Reclamation property that contains the large drainage basins and WestWorld support facilities. As such the proposed development will provide a buffer for the residential developments north of McDowell Mountain Ranch Road and the existing and future facilities/activities within the Bureau property. Enclosed is our preliminary site plan and conceptual building design.

Historically, the property retains the County 1972 annexation R1-35 zoning (one house per acre) which was the zoning classification of most of the County north of the CAP Canal. Post annexation all the surrounding developments that now exist were subsequently rezoned. The current zoning does NOT comply with the enclosed City's General Plan "Conceptual Land Use Map" which indicates "Office". The "Office" designation equates to the "Commercial Office (C-O)" zoning district which typically develops with multi-story offices that can generate a significant amount of traffic, noise, lighting and activity. However, a "residential health care facility" is also an allowed use and generates conversely minimal traffic, noise, lighting, and activity. The use is generally considered benign and compatible with both residential and non-residential areas. Common questions which are raised with rezoning requests and this use specifically are:

Can the City Council restrict the use of the property to just the senior living facility? Although the legal answer is governing bodies are precluded from limiting rezonings to specific uses, the City achieves that goal by stipulating conformance to specific development plans which by their nature are use-specific and not convertible to other uses. If the stipulated development plans were subsequently proposed to be altered, an amendment would be required to go through the same Planning Commission and City Council public hearing process.

Will development adhere to the "dark sky" policy? Yes, lighting will be limited in number, lumen, and location to minimize total light emanation. Lighting will also be tightly controlled along the street frontage to preclude off-site light spill.

Will ambulances be using sirens to transport residents? The facility does not provide nursing care and the residents are ambulatory. As a matter of policy and practice, ambulances do not utilize sirens in residential areas.

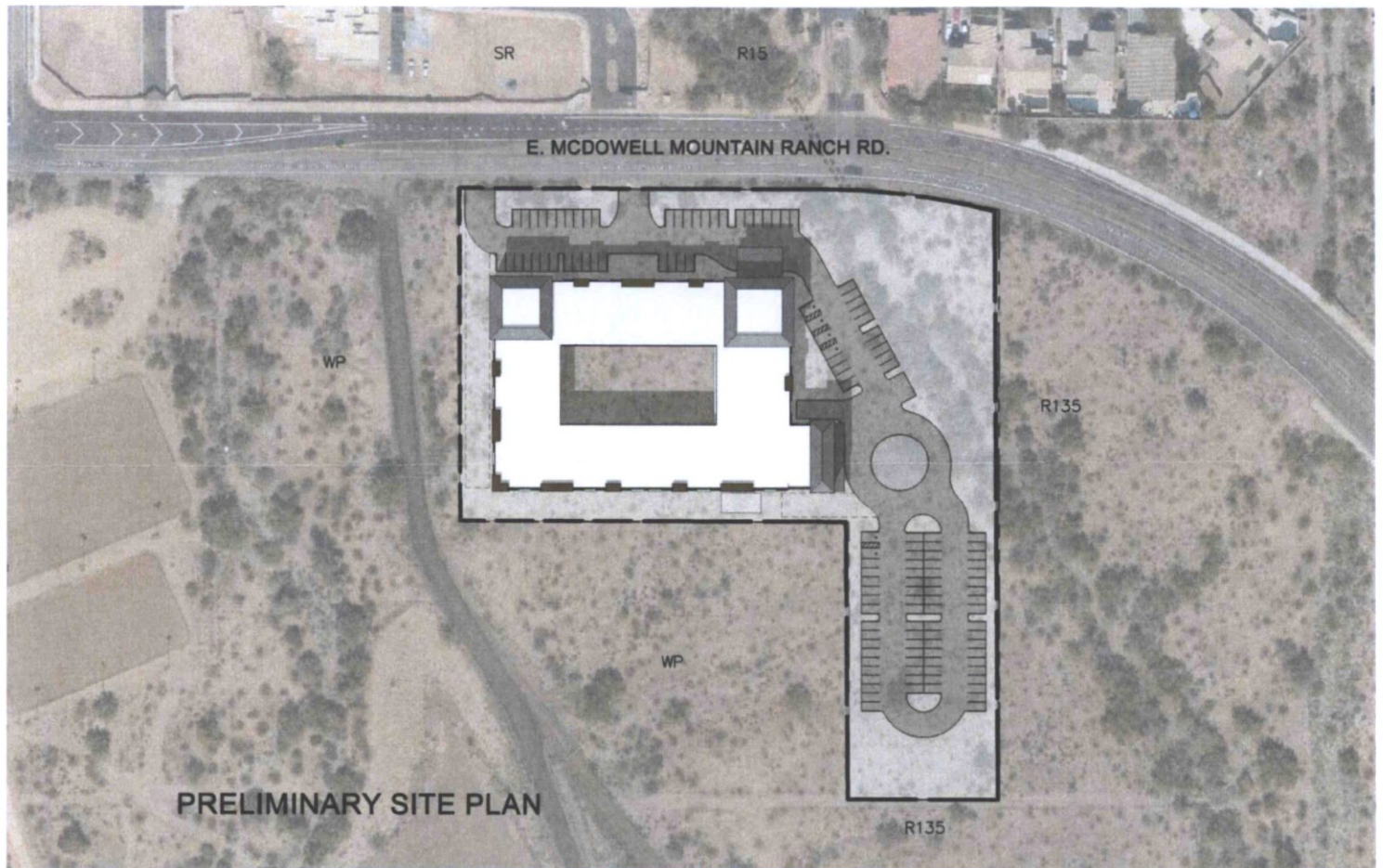
As an interested party or property owner within 750' of the property, you are receiving this notification as part of the City's Public Outreach and Input process. Accordingly, we are also hosting an "Open House" from 6:00 pm to 7:30 pm on Tuesday May 7th at the McDowell Center located at 16116 N. McDowell Mountain Ranch Rd., Scottsdale, AZ 85255.

We hope to subsequently file a formal application with the City to change the zoning from R1-35 PCD ESL (Single-family Residential within a Planned Community District in Environmentally Sensitive Lands) to C-O PCD ESL (Commercial Office within a Planned Community District in Environmentally Sensitive Lands) to allow the proposed senior living development. Immediately after filing the application, you will be receiving a postcard from the City notifying you of the application submittal.

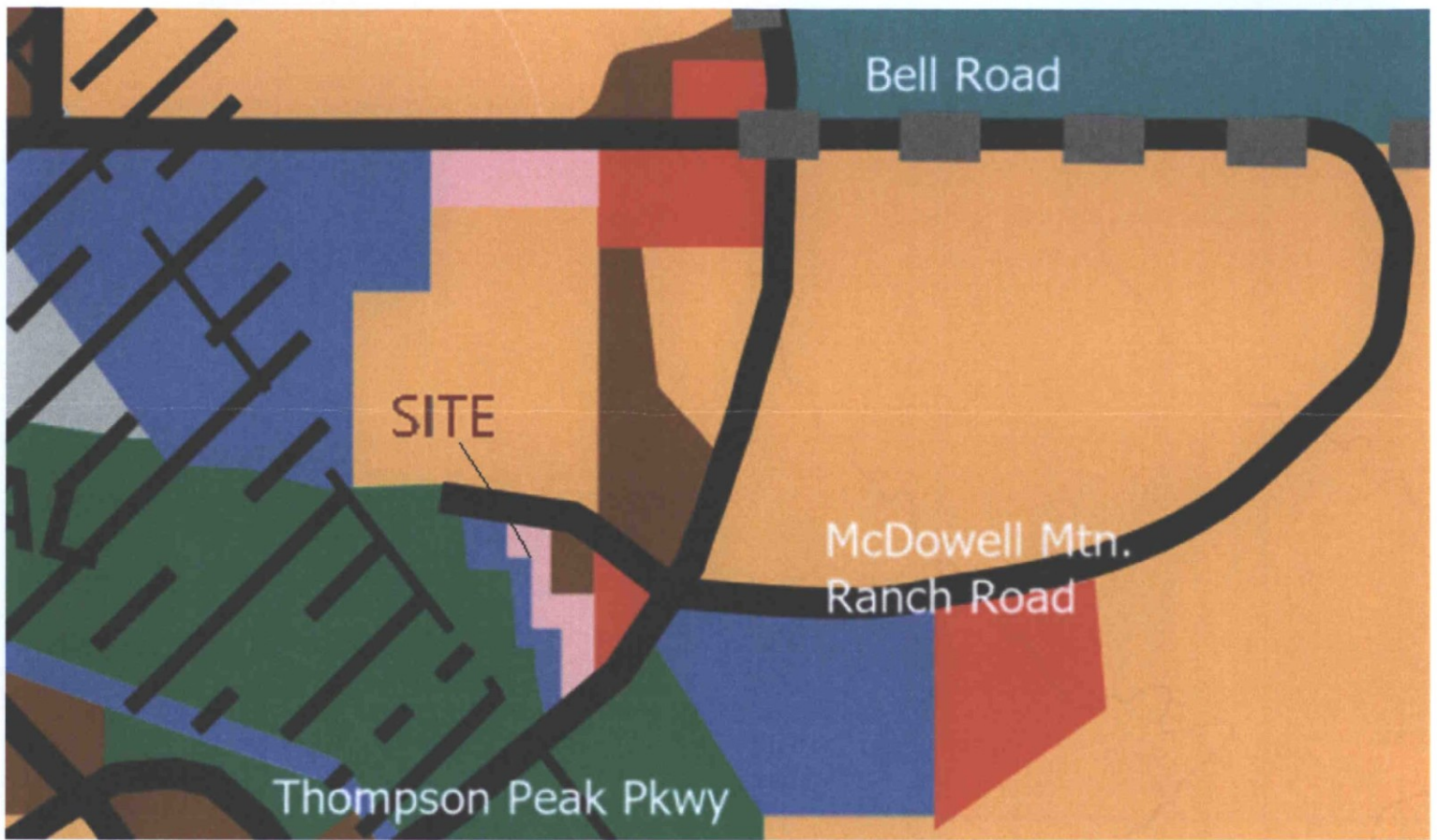
If you should have any questions, please contact me at your convenience. You may also contact City of Scottsdale Senior Planner Doris McClay who is assigned to this project and can be reached at 480.312.4214 and dmcclay@scottsdaleaz.gov. Our preliminary application case number is 99-PA-2019.

Thank you! ML

enclosure



SENIOR LIVING AT MCDOWELL MOUNTAIN RANCH



Conceptual Land Use Map





Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.



Project Under Consideration Sign (White)



Public Hearing Notice Sign (Red)

Case Number: 99-PA-2019

Project Name: _____

Location: 9909 E McDowell Mnt Ranch Rd

Site Posting Date: April 27, 2019

Applicant Name: Mike Leary

Sign Company Name: Dynamite Signs

Phone Number: 480-585-3031

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Meghan Riggett
Applicant Signature

4/29/19
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 29th day of April 2019



Mary Beth Conrad
Notary Public

My commission expires: 10-25-20

City of Scottsdale -- Current Planning

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480

8-ZN-2019
5/13/2019

7088

Early Notification of Project Under Consideration

Neighborhood Open House Meeting:

Date: Tuesday, May 7, 2019 Time: 6:00PM - 7:30PM

Location: McDowell Center - 16116 N. McDowell Mtn.
Ranch Road Scottsdale, AZ 85255

Site Location: 9909 E. McDowell Mtn. Ranch Rd.

Project Overview:

- Request: Rezoning to C-O PCD ESL (Commercial Office within a Planned Community District in Environmentally Sensitive Lands) in conformance with the City's General Plan
- Description of Project & Proposed Use: An upscale senior living community providing Independent, Assisted, and Memory Care.
- Site Zoning: R1-35 PCD ESL (Single-Family Residential within a Planned Community District in Environmentally Sensitive Lands)
- Site Acreage: 5 acres

Applicant Contact:

Mike Leary 480-991-1111
michaelpleary@cox.net

City Contact:

Doris McClay 480-312-4214
dmccclay@scottsdaleAZ.gov

Posting Date: 4/27/2019

Case #: 99-PA-2019 Available at City of Scottsdale: 480-312-7000

Project information may be researched at:
<https://eservices.scottsdaleaz.gov/bldgresources/Preapp/Search>

-Penalty for removing or defacing sign prior to date of last hearing -Applicant Responsible for Sign Removal

4/27/19 08:28:32

Early Notification of Project Under Consideration

Neighborhood Open House Meeting:

Date: Tuesday, May 7, 2019 Time: 6:00PM - 7:30PM

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Ranch Road Scottsdale, AZ 85255

Site Location: 9909 E. McDowell Mtn. Ranch Rd.

Project Overview:

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- Site Zoning: R1-35 PCD ESL (Single-Family Residential within a Planned Community District in Environmentally Sensitive Lands)
- Site Acreage: 5 acres

City Contact:

Doris McClay 480-312-4214
dmccclay@scottsdaleAZ.gov

Posting Date: 4/27/2019

Applicant Contact:

Mike Leary 480-991-1111
michaelpleary@cox.net

Case #: 99-PA-2019 Available at City of Scottsdale: 480-312-7000

Project information may be researched at:
<https://eservices.scottsdaleaz.gov/bldgresources/Preapp/Search>

Penalty for removing or defacing sign prior to date of last hearing - Applicant Responsible for Sign Removal

Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.



☒ Project Under Consideration Sign (White)

☐ Public Hearing Notice Sign (Red)

Case Number: 99-PA-2019

Project Name: _____

Location: 9909 E McDowell Mnt Ranch Rd

Site Posting Date: April 27, 2019

Applicant Name: Mike Leary

Sign Company Name: Dynamite Signs

Phone Number: 480-585-3031

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Applicant Signature

Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 29th day of April, 2019



Notary Public

My commission expires 10/25/20

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

8-ZN-2019
5/13/2019